

# **EXHIBIT 23**



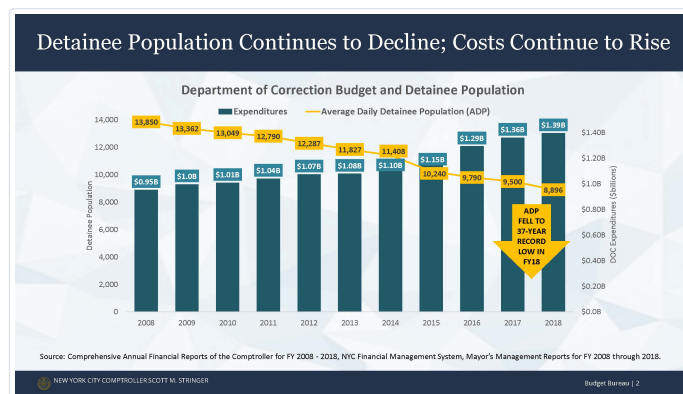
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## Comptroller Stringer: Despite a Decline in Incarceration, Correction Spending, Violence, and Use of Force Continued to Rise in FY 2018

January 22, 2019



In the midst of criminal justice reforms, rates of violence among inmates, assaults on officers, and use of force incidents all higher compared to ten years ago.

Annual cost per detainee soars over \$300,000 – up 66 percent since 2014.

(New York, NY) — As the daily jail population reaches record lows, the City Department of Correction (DOC) budget expanded 3 percent to \$1.39 billion in FY 2018 and the average annual cost per inmate broke a new record at over \$300,000, according to a new analysis released today by New York City Comptroller Scott M. Stringer. Despite the population reduction and investments in greater security and training, the data further shows use of force incidents and rates of violence increased last year. Even more concerning, rates of violent incidents between inmates, attacks on Corrections staff, and use of force were all higher compared to ten years ago in FY 2008 – in some instances, as high as 258 percent.

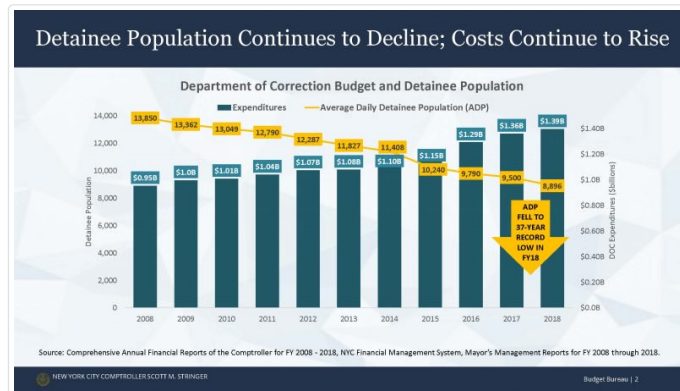
“Safety in our jails must be one of our highest criminal justice priorities because this isn’t just about officers and inmates – it’s about parents, siblings, and friends. Working towards closing Rikers Island and a record reduction in our incarcerated population is a

continue to move in the wrong direction," said Comptroller Stringer. "The DOC is spending more money with more staff to guard fewer people, yet rates of violence and assault continue to rise which is troubling both for our detained population and for correction officers. We have to do better, and this analysis sheds a light on just how much work remains ahead of us."

Comptroller Stringer's analysis uses budget data, claims against the City, reports of violence in City jails, and personnel data to analyze the Department of Correction's operations. According to the analysis:

*Despite a 37-year record low in the jail population, DOC's budget continued to grow*

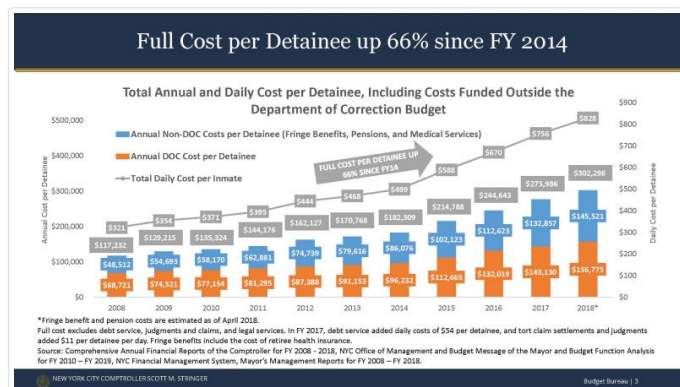
- In Fiscal Year 2018, the average daily population (ADP) fell to a 37-year record low 8,896. As a result of falling crime rates, as well as concerted efforts to increase diversion programs and improve case processing times, among other City initiatives, the average jail population has fallen by 36 percent since FY 2008.
- However, the DOC budget reached \$1.39 billion in FY 2018, an increase of 3 percent from FY 2017 and 47 percent since FY 2008, ten years ago.



#### *Costs Continued Long-term Rise*

- The DOC spent \$156,775 for every person in custody in FY 2018, 10 percent higher than FY 2017 and a 128 percent increase from FY 2008, ten years ago.

The City funds additional jail expenses outside of the DOC budget, such as fringe benefits, pension costs, and medical services. Including these additional costs, the City spent a total of \$302,296 per detainee in FY 2018, or \$828 per day – an increase of 158 percent since FY 2008.



*DOC Employed More Correction Officers than Detainees for the Third Consecutive Year*

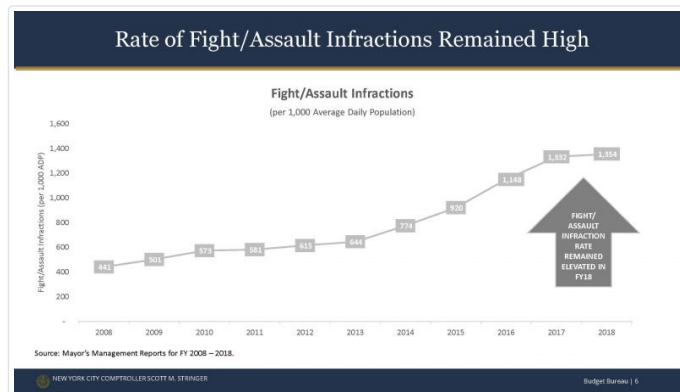
While the number of unionized employees declined from 10,862 at the end of FY 2017 to 10,653 at the end of FY 2018, the number of officers remained higher than the average daily jail population.

- The ratio of correction officers to detainees was 1.2 officers per detainee in FY 2018. A decade ago, the ratio was 0.66 when DOC employed 9,149 officers for an average daily population of 13,850.
- Agency overtime fell for the second consecutive year to \$222 million, or \$24,925 per detainee. Overall overtime has declined by 19 percent in the last two years but remains more than double the expense in FY 2008.

#### *Despite Greater Resources, Violence Continued to Increase*

Over the last several years, the City has invested substantial new resources in expanded jail programs, greater security, and officer training, yet results continue to be elusive. The Comptroller's report shows:

- The rate of total "fight/assault" infractions grew by 2 percent in the last year to 1,354 events per 1,000 average daily population – more than three times higher than the rate in FY 2008.
- After falling in FY 2016, the rate of detainee assaults on staff grew for the second year to 110.4 incidents per 1,000 ADP – an increase of 258 percent since FY 2008.
- Despite a smaller jail population, the number of incidents and allegations of use of force by correction officers on detainees increased from 5,070 in FY 2017 to 5,589 in FY 2018. On a per ADP basis, the rate of use of force grew by 18 percent in FY 2018 and is now 4.5 times higher than in FY 2008.
- Growth in the number of tort claims filed for personal injury at City Correction Facilities has slowed in the last two years, rising 1.5 percent in FY 2018 to 3,894 claims. Nonetheless, the number of claims remains high, at nearly four times its level in FY 2008.



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